

EXHIBIT 2

[Letter to PSC requesting information and conference on
trial proposal and follow-up emails re same]

GIDEON, COOPER & ESSARY
A PROFESSIONAL LIMITED LIABILITY COMPANY

315 DEADERICK STREET, SUITE 1100

NASHVILLE, TN 37238

(615) 254-0400

FAX (615) 254-0459

www.gideoncooper.com

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*LICENSED IN TN AND WI

C. J. GIDEON, JR.¹
DIXIE W. COOPER²
BRYAN ESSARY³
CHRIS J. TARDIO⁴
CHRISTOPHER A. VRETTOS
ALAN S. BEAN
JAMES C. SPERRING
JOSHUA R. ADKINS
KIM J. KINSLER⁵
RANDA VON KANEL
J. BLAKE CARTER¹
MARK A. HAMMERVOLD¹
MATT H. CLINE
MATTHEW J. NATHANSON
JEREMY C. CAIN

March 16, 2015

Chris J. Tardio
chris@gideoncooper.com

Via email only

J. Gerard Stranch, IV
Branstetter, Stranch & Jennings
227 Second Avenue North
Nashville, TN 37201

RE: Motion for Trial Setting

Dear Gerard:

This letter follows email exchanges on March 4 and 5, 2015 regarding the PSC's *Motion for Entry of Case Management Order Setting an Expedited Trial Date* [Dkt. 1716]. This letter (1) documents our request for an extension to respond to the motion and (2) outlines some of the issues that should be part of a meet and confer process before setting cases for trial in the manner unilaterally chosen by the PSC.

1. Extension for response

We request an extension of time through close of business on April 6, 2015, to respond to the motion under MDL Order 11 [Dkt. 1524]. This is obviously an important issue that requires an informed conference with our clients, and one that should involve discussions among the parties. The PSC filed the motion less than 72 hours after raising a modification of the current scheduling order, and approximately one day after Ben Gastel's email clarifying the proposal. This is not sufficient time to confer on this issue. I enclose a proposed stipulation granting this extension. Otherwise, we will take our "automatic" extension of ten days by notice per the protocol at Dkt. 1524. Please let me know whether the PSC will agree to the extension through April 6 so that we can file the appropriate document.

2. Issues with the PSC's proposal

a. General questions

We have read and considered your motion and trial proposal. Several questions arise before we can make an informed response.

First, the affidavits by Daniel Clayton, Mark Chalos, and George Nolan filed with the motion are unclear. Is the PSC making a *Lexecon* waiver entirely for *all* cases against STOPNC, *et al.*, or is the waiver only for the six (6) proposed cases, and then only if all six (6) of the cases are set in December 2015?

STOPNC, Howell Allen, Debra Schamberg, and Dr. Culclasure do *not* waive *Lexecon* in any case, and do not intend to do so.¹

Second, does the PSC contend that these six (6) cases are *representative* of the full cohort of plaintiffs? If so, what are the criteria that the PSC used for selection? Or, is the PSC proposing abandoning entirely the effort to select representative cases?

Third, how does the PSC envision the "settling parties" participating in trial? UniFirst has taken an active role in litigation while its settlement before the bankruptcy Court remains pending. In December 2015, it is very possible that the scope and enforceability of the channeling injunction will not be resolved by the bankruptcy court or will be on appeal. Does the PSC envision UniFirst and the eleven other named affiliated and unaffiliated defendants in these cases actively participating in trial? Has this been discussed with these parties?

b. Questions regarding timing

We also have several questions regarding the timing in the PSC's proposal:

First, is the PSC's position that, once it takes the depositions of Dr. Culclasure and the St. Thomas witnesses (Kelvas, Rudolph, Climer, Schatzlein), common discovery taken by the PSC is concluded? Does the PSC anticipate taking depositions of any additional witnesses or conducting any additional written discovery in the common discovery phase?

Second, how much time does the PSC expect common *expert* discovery to take? The PSC's proposal appears to build in 30 days to take depositions of common experts. *How many experts does the PSC anticipate disclosing? At least four "parties" (STOPNC, et al.; STEs; UniFirst; PSC) remain actively litigating and will presumably be disclosing multiple experts each. Does the PSC intend to take depositions of the defendants' common experts? How many common expert depositions does the PSC anticipate?*

¹ We take the same position on behalf of all our clients.

Third, how much time does the PSC expect case-specific discovery (fact + expert) in the six chosen cases to take? The PSC's proposal appears to allot 75 days for written and oral fact and expert discovery in the six chosen cases, to overlap with the time for common expert depositions. *When does the PSC propose disclosure of case-specific experts occur? How many case-specific fact witnesses and case-specific expert witnesses (requiring depositions) does the PSC anticipate for each of the six cases?*²

Fourth, how much time does the PSC anticipate briefing, argument, and resolution of dispositive motions on common issues and on case-specific issues taking? The PSC's proposal appears to allot ~30 days for briefing of dispositive motions (it is unclear whether this is for both common issues and case-specific issues). *Is the PSC assuming there will be no such motions, or that such motions will not require significant briefing and deliberation by the Court? Is the PSC proposing such an accelerated schedule in an effort to foreclose time for the preparation, submission, and argument on dispositive motions?* I remind you that the issues raised at the motion to dismiss stage took 6-8 months to brief and resolve.³

Fifth, does the PSC allot any time for filing, briefing, and resolving motions *in limine*? No time is readily apparent in the proposal.

Sixth, how long does the PSC anticipate this single, consolidated (x6) trial taking?

3. Conference with other parties

Has the PSC had any discussion with other parties potentially impacted by this motion? For example, there are twelve additional defendants in the *Reed* case. At least one – UniFirst – continues to actively participate in the litigation while the bankruptcy remains pending. *Have these twelve additional parties agreed to this proposal?* They should be part of these discussions, particularly UniFirst, and we copy Jim Rehnquist with this letter.

* * * * *

² In *Wingate*, the lead case in Virginia, we understand there were a dozen experts disclosed by the plaintiff, and at least 19 fact witness depositions before depositions of experts began.

³ See Dkt. 771, 893 [January, February 2014], Order entered 8/29/14.

Please let me know about the stipulation to the extension as soon as possible. We look forward to your responses on the questions in this letter, which will permit us to make an informed response to your proposal.

Thank you.

Very truly yours,



Chris J. Tardio

Enc. Proposed Stipulation (extension of time to respond)

Cc: George Nolan (via email); Daniel Clayton (via email); Mark Chalos (via email); Ben Gastel (via email); Yvonne Puig (via email); Adam Schramek (via email); Eric Hoffman (via email); James Rehnquist (via email)

Chris J. Tardio

From: Ben Gastel <beng@bsjfirm.com>
Sent: Tuesday, March 17, 2015 2:58 PM
To: Chris J. Tardio; Gerard Stranch
Cc: Daniel L. Clayton (dclayton@kcbattys.com); 'George Nolan' (gnolan@LeaderBulso.com); Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com); Puig, Yvonne K. (yvonne.puig@nortonrosefulbright.com); Schramek, Adam T. (adam.schramek@nortonrosefulbright.com); Hoffman, Eric (eric.hoffman@nortonrosefulbright.com); Rehnquist, James C (JRehnquist@goodwinprocter.com); Thomas Sobol (Tom@hbsslaw.com)
Subject: RE: PSC's trial proposal

Chris,

The PSC does not believe that further meet and conferring is necessary on this issue. As I stated in my email before we filed it, we invited you to provide the earliest date you thought a case could be ready for trial. Even with your email correspondence from yesterday, you have still not answered this question. It is clear that the defendants have a different view of the timing of a trial then the plaintiffs, and we think the issue simply needs to be decided by the judge. Accordingly, we will not consent to the extension of the response and will continue to expect that the motion will be fully briefed and ready to be heard by Judge Zobel next week. A two week extension would delay the hearing by over a month, which is unacceptable to the Plaintiffs. Further, it appears that from your letter that your team has put significant thought into the PSC's proposal and that you can easily convey your thoughts on the motion in a timely fashion to Judge Zobel.

Thank You,

Ben

Ben Gastel
Branstetter, Stranch & Jennings, PLLC
227 Second Ave. N.
Fourth Floor
Nashville, TN 37061-1631
P: 615.254.8801
F: 615.255.5419

From: Chris J. Tardio [<mailto:chris@gideoncooper.com>]
Sent: Monday, March 16, 2015 3:24 PM
To: Gerard Stranch
Cc: Daniel L. Clayton (dclayton@kcbattys.com); 'George Nolan' (gnolan@LeaderBulso.com); Chalos, Mark P. (mchalos@lchb.com) (mchalos@lchb.com); Ben Gastel; Puig, Yvonne K. (yvonne.puig@nortonrosefulbright.com); Schramek, Adam T. (adam.schramek@nortonrosefulbright.com); Hoffman, Eric (eric.hoffman@nortonrosefulbright.com); Rehnquist, James C (JRehnquist@goodwinprocter.com)
Subject: PSC's trial proposal

Gerard:

Please see the attached letter and proposed stipulation on an extension of time to respond to the PSC's *Motion for Entry of Case Management Order Setting an Expedited Trial Date*.

I have copied those counsel most directly involved. As referenced in the letter, there are a number of affiliated and unaffiliated defendants in the proposed trial cases. I do not know whether the PSC has involved them in any discussions about the Motion. Feel free to forward this letter to anyone you believe may be impacted by the PSC's proposal.

Thanks.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
315 Deaderick Street
Suite 1100
Nashville, Tennessee 37238
(615) 254-0400 (phone)
(615) 254-0459 (fax)
www.gideoncooper.com

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Chris J. Tardio

From:
Sent:
To:

Chris J. Tardio

Friday, March 20, 2015 8:01 PM

'Schramek, Adam T.'; 'Mike Barker'; Adam Moyers (Wilson Surgery); Alan J Bozer (Rochester Brain and Spine); Alan Bean; Allen Neely (Allegheny Pain); Amber Garry (MAPS-Edina); Andrew Howk (Wellspring); Anthony E. Abeln (BKC Pain); Arthur Brock (Erlanger Health); B. Curtis Wilkinson (Union Hospital); Barbara Hayes Buell (Tenet and Hahnemann); Bartholemew Freeze (Ortho-Spine Rehab Center); Benjamin T Siracusa Hillman (Dr. O'Connell's); Brandon Kulwicki (Harris Methodist); Brian Macdonald (Michigan Neuro); Brook Hastings (Rothman Ins.-Dr.Andredson); C. Houston Foppiano (Wilson Surgery); Cara E Weiner (Erlanger); Cari Wint (Surgical Park Center); Carl Tullson (Insight); Carrie Hanger (High Point Surgery); Cecily Hughes (Wilson Surgery); Chris Riegler (Wellspring); Chris Tribble (Insight); Christopher Wolk (Premier Orthopaedic); C. J. Gideon; Clare Carroll (MAPS); Cynthia Palin (Encino Outpatient); Daniel Divis (Nasareth-Mercy); Daniel Shapiro (Florida Pain); David Batten (Wilson Surgery); David M Thomas (Michigan Pain); David Rogers (Marion); Deanna Siegfried (Comprehensive Pain Management); Diane Flannery (Insight Health); Emmitt Griggs (Forsyth Street Ambulatory); Hoffman, Eric; Frank Gerolamo (Nasareth-Mercy); Greg Kirby (Pain Medicine Specialists PA); Gregory Bee (Cinncinnati Pain Management); Halley Stephens (West Florida Pain); Holly Bell (Brookwood); Imran Rahman (APAC Centers for Pain Management); Jack Reinholtz (Encino); James Campbell (Marion); James F. Neale (Insight); Jason Lee (Specialty Surgery); Jason Lewis (Forsyth St. Ambulatory); Jay Blumberg (premier orthopaedic); Jeremiah Quane (Pain Specialists of Ohio); Joanna Chen (Rochester Brain and Spine); John Lovely (Nitesh Bhagat); John T Sly (Greenspring Surgical); John Thomas Jessee (Carilion); Joseph Cohen (Fort Wayne Phys Medicine); Joseph Fullenkamp (South Bend); Joseph Lang (Nitesh Bhagat); Justin Saar (Florida Pain); Katharine Dennis (Ocean State); Kathryn J. Humphrey (Southeast Michigan Surgical); Kelly Hunton (Brookwood); Kent Krause (Specialty Surgery); Kip J. Adams (Thorek Memorial); Kristen M Mykulak (South Jersey Health); Liz Fraley (Dallas Back Pain); Louis Moffa (South Jersey Health); Luke Reilander (OSMC Outpatient); Lyle Hardman (OSMC Outpatient); Marcy H. Greer (Saint Thomas); Mark E Anderson (NC Orthopaedic); Mark Hoover (Michigan Pain); Mark P Goodman (Michigan Pain); Mark Schumacher (Ortho-Spine Rehab); Martin Hyman (Interventional Rehab); Matt H. Cline; Matthew Connors (Ocean State Pain); Matthew Daly (Interventional Spine); Maura K. Monaghan (Sahara Surgery); Megan Carrick (Specialty Surgery); Michael B Hayes (South Jersey Health); Michael Hager (Rochester Brain and Spine); Michelle Bodem (Wellspring); Michelle J Marzullo (Baltimore Pain); Michelle Mitchell (Greenspring SurgCenter); Mike Keating (IF Pain Associates); Nancy Fuller Reynolds (Image Guided Pain Management); Nicholas Kennedy (Insight); Parks Chastain (Specialty Surgery); Paul Corson (Universal Pain Management); Paul Peterson (Maps-Edina); Randy Hackney (Michigan Pain); Raymond Powers (Walter Knox Memorial); Renu Shah (Insight); Rhonda Beesing (Florida Pain); Rob Bouley (Minnesota Surgery Center); Robert Boston (Marion Pain); Robert Homes Hood (Pain Assoc of Charleston); Robert James Durant (OSMC); Sandra Lake (Michigan Pain Clinic); Sarah Kelly (Saint Thomas Entities); Sean Capplis (Ocean State); Stephanie Hanning (Dr. Glaser); Stephen Brake (St. Thomas); Stephen Busch (Insight Health); Stephen Grossman (South Jersey Health); Stephen Pratt (Wellspring); Steven Weiss (SE Michigan Surgical); Terrill Harris (High Point Surgery); Theresa A Domenico (Orlando Surgery); Thomas J Althaus (Hartford Country Ambulatory); Timothy Dardas (Neuro and Rehab of N. Michigan); Tom Kendrick (Brookwood); Tory Weigand (BKC); William Christie (Dr. O'Connell's); Puig, Yvonne K.

Cc: Annika Martin; Ben Gastel; Edward Notargiacomo; gerards@branstetterlaw.com; Kim

Cc: Dougherty; Kristen Johnson; Marc E. Lipton; Mark P. Chalos; Mark Zamora; Patrick T. Fennell; Rick Ellis; Ryan Jarnagin; Thomas Sobol

Subject: RE: NECC Draft Status Conference Draft Agenda

Mike/PSC:

The Tennessee Clinic Defendants likewise do not agree that the Motion for an Expedited Trial Date is fully briefed or ready for oral argument. It is inappropriate to unilaterally declare that the opposing party cannot have an extension to respond to a motion despite a procedure in place explicitly allowing it. With all due respect, the PSC cannot declare a motion ready to argue before all sides have had fair opportunity to brief simply because the PSC wants something decided quickly. We have agreed to numerous extensions of time in this litigation (I cannot think of one we refused to cooperate on), and have never unilaterally declared an issue ready for decision without offering the PSC (or any other interested party) fair opportunity to respond. Our filing of a meet and confer letter with the notice of extension does not make the motion "fully briefed," as the PSC's filing this afternoon stated.

In short, we object to representing to the Court that the trial date motion is fully briefed or ready to be argued.

Chris J. Tardio, Esq.
Member // Gideon, Cooper & Essary, PLC
315 Deaderick Street
Suite 1100
Nashville, Tennessee 37238
(615) 254-0400 (phone)
(615) 254-0459 (fax)
www.gideoncooper.com

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From: Schramek, Adam T. [mailto:adam.schramek@nortonrosefulbright.com]

Sent: Friday, March 20, 2015 4:50 PM

To: 'Mike Barker'; Adam Moyers (Wilson Surgery); Alan J Bozer (Rochester Brain and Spine); Alan Bean; Allen Neely (Allegheny Pain); Amber Garry (MAPS-Edina); Andrew Howk (Wellspring); Anthony E. Abeln (BKC Pain); Arthur Brock (Erlanger Health); B. Curtis Wilkinson (Union Hospital); Barbara Hayes Buell (Tenet and Hahnemann); Bartholemew Freeze (Ortho-Spine Rehab Center); Benjamin T Siracusa Hillman (Dr. O'Connell's); Brandon Kulwicki (Harris Methodist); Brian Macdonald (Michigan Neuro); Brook Hastings (Rothman Ins.-Dr.Andredson); C. Houston Foppiano (Wilson Surgery); Cara E Weiner (Erlanger); Cari Wint (Surgical Park Center); Carl Tullson (Insight); Carrie Hanger (High Point Surgery); Cecily Hughes (Wilson Surgery); Chris Riegler (Wellspring); Chris J. Tardio; Chris Tribble (Insight); Christopher Wolk (Premier Orthopaedic); C. J. Gideon; Clare Carroll (MAPS); Cynthia Palin (Encino Outpatient); Daniel Divis (Nasareth-Mercy); Daniel Shapiro (Florida Pain); David.Batten (Wilson Surgery); David M Thomas (Michigan Pain); David Rogers (Marion); Deanna Siegfried (Comprehensive Pain Management); Diane Flannery (Insight Health); Emmitt Griggs (Forsyth Street Ambulatory); Hoffman, Eric; Frank Gerolamo (Nasareth-Mercy); Greg Kirby (Pain Medicine Specialists PA); Gregory Bee (Cinncinnati Pain Management); Halley Stephens (West Florida Pain); Holly Bell (Brookwood); Imran Rahman (APAC Centers for Pain Management); Jack Reinholtz (Encino); James Campbell (Marion); James F. Neale (Insight); Jason Lee (Specialty Surgery); Jason Lewis (Forsyth St. Ambulatory); Jay Blumberg (premier orthopaedic); Jeremiah Quane (Pain Specialists of Ohio); Joanna Chen (Rochester Brain and Spine); John Lovely (Nitesh Bhagat); John T Sly (Greenspring Surgical); John Thomas Jessee (Carilion); Joseph Cohen (Fort Wayne Phys Medicine); Joseph Fullenkamp (South Bend); Joseph Lang (Nitesh Bhagat); Justin Saar (Florida Pain); Katharine Dennis (Ocean State); Kathryn J. Humphrey (Southeast Michigan Surgical); Kelly Hunton (Brookwood); Kent Krause (Specialty Surgery); Kip J. Adams (Thorek Memorial); Kristen M Mykulak (South Jersey Health); Liz Fraley (Dallas Back Pain); Louis Moffa (South Jersey Health); Luke Reilander (OSMC Outpatient); Lyle Hardman (OSMC Outpatient); Marcy H. Greer (Saint Thomas); Mark E Anderson (NC Orthopaedic); Mark Hoover (Michigan Pain); Mark P Goodman (Michigan Pain); Mark Schumacher (Ortho-Spine Rehab); Martin Hyman (Interventional Rehab); Matt H. Cline; Matthew Connors (Ocean State Pain); Matthew Daly (Interventional Spine); Maura K. Monaghan (Sahara Surgery); Megan Carrick (Specialty Surgery); Michael B Hayes (South Jersey Health); Michael Hager (Rochester Brain and Spine); Michelle Bodem (Wellspring); Michelle J Marzullo (Baltimore Pain); Michelle Mitchell (Greenspring SurgCenter); Mike Keating (IF Pain Associates); Nancy Fuller Reynolds (Image

Guided Pain Management); Nicholas Kennedy (Insight); Parks Chastain (Specialty Surgery); Paul Corson (Universal Pain Management); Paul Peterson (Maps-Edina); Randy Hackney (Michigan Pain); Raymond Powers (Walter Knox Memorial); Renu Shah (Insight); Rhonda Beesing (Florida Pain); Rob Bouley (Minnesota Surgery Center); Robert Boston (Marion Pain); Robert Homes Hood (Pain Assoc of Charleston); Robert James Durant (OSMC); Sandra Lake (Michigan Pain Clinic); Sarah Kelly (Saint Thomas Entities); Sean Capplis (Ocean State); Stephanie Hanning (Dr. Glaser); Stephen Brake (St. Thomas); Stephen Busch (Insight Health); Stephen Grossman (South Jersey Health); Stephen Pratt (Wellspring); Steven Weiss (SE Michigan Surgical); Terrill Harris (High Point Surgery); Theresa A Domenico (Orlando Surgery); Thomas J Althaus (Hartford Country Ambulatory); Timothy Dardas (Neuro and Rehab of N. Michigan); Tom Kendrick (Brookwood); Tory Weigand (BKC); William Christie (Dr. O'Connell's); Puig, Yvonne K.

Cc: Annika Martin; Ben Gastel; Edward Notargiacomo; gerards@branstetterlaw.com; Kim Dougherty; Kristen Johnson; Marc E. Lipton; Mark P. Chalos; Mark Zamora; Patrick T. Fennell; Rick Ellis; Ryan Jarnagin; Thomas Sobol

Subject: RE: NECC Draft Status Conference Draft Agenda

Mike:

Please note on the agenda that the Saint Thomas Entities object to oral argument on item 2, as the motion is not fully briefed. Any oral argument should occur at the next status conference, once all briefing has been completed per the rules and standing orders.

Under fully briefed motions, please add:

Ascension Parties' Motion to Certify Dismissal Pursuant to Fed. R. Civ. P. 54(b) [Dkt. 1521] (*oral argument held*)

a. PSC's Opposition [Dkt. 1568]

Thanks,

Adam T. Schramek | Partner
Norton Rose Fulbright US LLP
98 San Jacinto Boulevard, Suite 1100, Austin, Texas 78701-4255, United States
Tel +1 512 536 5232 | Fax +1 512 536 4598
adam.schramek@nortonrosefulbright.com

NORTON ROSE FULBRIGHT

Law around the world
nortonrosefulbright.com

From: Mike Barker [<mailto:MikeB@hbsslaw.com>]

Sent: Friday, March 20, 2015 4:06 PM

To: Schramek, Adam T.; Adam Moyers (Wilson Surgery); Alan J Bozer (Rochester Brain and Spine); Alan S Bean (STOPNC); Allen Neely (Allegheny Pain); Amber Garry (MAPS-Edina); Andrew Howk (Wellspring); Anthony E. Abeln (BKC Pain); Arthur Brock (Erlanger Health); B. Curtis Wilkinson (Union Hospital); Barbara Hayes Buell (Tenet and Hahnemann); Bartholemew Freeze (Ortho-Spine Rehab Center); Benjamin T Siracusa Hillman (Dr. O'Connell's); Brandon Kulwicki (Harris Methodist); Brian Macdonald (Michigan Neuro); Brook Hastings (Rothman Ins.-Dr.Andredson); C. Houston Foppiano (Wilson Surgery); Cara E Weiner (Erlanger); Cari Wint (Surgical Park Center); Carl Tullson (Insight); Carrie Hanger (High Point Surgery); Cecily Hughes (Wilson Surgery); Chris Riegler (Wellspring); Chris Tardio (STOPNC); Chris Tribble (Insight); Christopher Wolk (Premier Orthopaedic); CJ Gideon (STOPNC); Clare Carroll (MAPS); Cynthia Palin (Encino Outpatient); Daniel Divis (Nasareth-Mercy); Daniel Shapiro (Florida Pain); David Batten (Wilson Surgery); David M Thomas (Michigan Pain); David Rogers (Marion); Deanna Siegfried (Comprehensive Pain Management); Diane Flannery (Insight Health); Emmitte Griggs (Forsyth Street Ambulatory); Hoffman, Eric; Frank Gerolamo (Nasareth-Mercy); Greg Kirby (Pain Medicine Specialists PA); Gregory Bee (Cinncinnati Pain Management); Halley Stephens (West Florida Pain); Holly Bell (Brookwood); Imran Rahman (APAC Centers for Pain Management); Jack Reinholtz (Encino); James Campbell (Marion); James F. Neale (Insight); Jason Lee (Specialty Surgery); Jason Lewis (Forsyth St. Ambulatory); Jay Blumberg (premier

orthopaedic); Jeremiah Quane (Pain Specialists of Ohio); Joanna Chen (Rochester Brain and Spine); John Lovely (Nitesh Bhagat); John T Sly (Greenspring Surgical); John Thomas Jessee (Carilion); Joseph Cohen (Fort Wayne Phys Medicine); Joseph Fullenkamp (South Bend); Joseph Lang (Nitesh Bhagat); Justin Saar (Florida Pain); Katharine Dennis (Ocean State); Kathryn J. Humphrey (Southeast Michigan Surgical); Kelly Hunton (Brookwood); Kent Krause (Specialty Surgery); Kip J. Adams (Thorek Memorial); Kristen M Mykulak (South Jersey Health); Liz Fraley (Dallas Back Pain); Louis Moffa (South Jersey Health); Luke Reilander (OSMC Outpatient); Lyle Hardman (OSMC Outpatient); Marcy H. Greer (Saint Thomas); Mark E Anderson (NC Orthopaedic); Mark Hoover (Michigan Pain); Mark P Goodman (Michigan Pain); Mark Schumacher (Ortho-Spine Rehab); Martin Hyman (Interventional Rehab); Matthew Cline (STOPNC); Matthew Connors (Ocean State Pain); Matthew Daly (Interventional Spine); Maura K. Monaghan (Sahara Surgery); Megan Carrick (Specialty Surgery); Michael B Hayes (South Jersey Health); Michael Hager (Rochester Brain and Spine); Michelle Bodem (Wellspring); Michelle J Marzullo (Baltimore Pain); Michelle Mitchell (Greenspring SurgCenter); Mike Barker; Mike Keating (IF Pain Associates); Nancy Fuller Reynolds (Image Guided Pain Management); Nicholas Kennedy (Insight); Parks Chastain (Specialty Surgery); Paul Corson (Universal Pain Management); Paul Peterson (Maps-Edina); Randy Hackney (Michigan Pain); Raymond Powers (Walter Knox Memorial); Renu Shah (Insight); Rhonda Beesing (Florida Pain); Rob Bouley (Minnesota Surgery Center); Robert Boston (Marion Pain); Robert Homes Hood (Pain Assoc of Charleston); Robert James Durant (OSMC); Sandra Lake (Michigan Pain Clinic); Sarah Kelly (Saint Thomas Entities); Sean Capplis (Ocean State); Stephanie Hanning (Dr. Glaser); Stephen Brake (St. Thomas); Stephen Busch (Insight Health); Stephen Grossman (South Jersey Health); Stephen Pratt (Wellspring); Steven Weiss (SE Michigan Surgical); Terrill Harris (High Point Surgery); Theresa A Domenico (Orlando Surgery); Thomas J Althausen (Hartford Country Ambulatory); Timothy Dardas (Neuro and Rehab of N. Michigan); Tom Kendrick (Brookwood); Tory Weigand (BKC); William Christie (Dr. O'Connell's); Puig, Yvonne K.

Cc: Annika Martin; Ben Gastel; Edward Notargiacomo; gerards@branstetterlaw.com; Kim Dougherty; Kristen Johnson; Marc E. Lipton; Mark P. Chalos; Mark Zamora; Patrick T. Fennell; Rick Ellis; Ryan Jarnagin; Thomas Sobol

Subject: NECC Draft Status Conference Draft Agenda

Counsel:

Attached for your review is the draft agenda for the Wednesday, March 25, 2015, 2:00 p.m. EDT, status conference before Judge Zobel.

If you have any suggestions or edits, **please make them in redline** and send them back to me at mikeb@hbsslaw.com by 4:00 p.m. EDT on Monday, March 23.

Thanks.

Mike Barker | Paralegal
Hagens Berman Sobol Shapiro LLP
 55 Cambridge Parkway, Suite 301 - Cambridge, MA 02142
 Direct: (617) 475-1958
MikeB@hbsslaw.com | www.hbsslaw.com | [HBSS Blog](#)



Named to **2015 Plaintiff's Hot List** by *The National Law Journal*



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Chris J. Tardio

From:
Sent:
To:

Thomas Sobol <Tom@hbsslaw.com>
Saturday, March 21, 2015 7:26 AM
Schramek, Adam T.; Mike Barker; Adam Moyers (Wilson Surgery); Alan J Bozer (Rochester Brain and Spine); Alan Bean; Allen Neely (Allegheny Pain); Amber Garry (MAPS-Edina); Andrew Howk (Wellspring); Anthony E. Abeln (BKC Pain); Arthur Brock (Erlanger Health); B. Curtis Wilkinson (Union Hospital); Barbara Hayes Buell (Tenet and Hahnemann); Bartholemew Freeze (Ortho-Spine Rehab Center); Benjamin T Siracusa Hillman (Dr. O'Connell's); Brandon Kulwicki (Harris Methodist); Brian Macdonald (Michigan Neuro); Brook Hastings (Rothman Ins.-Dr.Andredson); C. Houston Foppiano (Wilson Surgery); Cara E Weiner (Erlanger); Cari Wint (Surgical Park Center); Carl Tullson (Insight); Carrie Hanger (High Point Surgery); Cecily Hughes (Wilson Surgery); Chris Riegler (Wellspring); Chris J. Tardio; Chris Tribble (Insight); Christopher Wolk (Premier Orthopaedic); C. J. Gideon; Clare Carroll (MAPS); Cynthia Palin (Encino Outpatient); Daniel Divis (Nasareth-Mercy); Daniel Shapiro (Florida Pain); David Batten (Wilson Surgery); David M Thomas (Michigan Pain); David Rogers (Marion); Deanna Siegfried (Comprehensive Pain Management); Diane Flannery (Insight Health); Emmitt Griggs (Forsyth Street Ambulatory); Hoffman, Eric; Frank Gerolamo (Nasareth-Mercy); Greg Kirby (Pain Medicine Specialists PA); Gregory Bee (Cincinnati Pain Management); Halley Stephens (West Florida Pain); Holly Bell (Brookwood); Imran Rahman (APAC Centers for Pain Management); Jack Reinholtz (Encino); James Campbell (Marion); James F. Neale (Insight); Jason Lee (Specialty Surgery); Jason Lewis (Forsyth St. Ambulatory); Jay Blumberg (premier orthopaedic); Jeremiah Quane (Pain Specialists of Ohio); Joanna Chen (Rochester Brain and Spine); John Lovely (Nitesh Bhagat); John T Sly (Greenspring Surgical); John Thomas Jessee (Carilion); Joseph Cohen (Fort Wayne Phys Medicine); Joseph Fullenkamp (South Bend); Joseph Lang (Nitesh Bhagat); Justin Saar (Florida Pain); Katharine Dennis (Ocean State); Kathryn J. Humphrey (Southeast Michigan Surgical); Kelly Hunton (Brookwood); Kent Krause (Specialty Surgery); Kip J. Adams (Thorek Memorial); Kristen M Mykulak (South Jersey Health); Liz Fraley (Dallas Back Pain); Louis Moffa (South Jersey Health); Luke Reilander (OSMC Outpatient); Lyle Hardman (OSMC Outpatient); Marcy H. Greer (Saint Thomas); Mark E Anderson (NC Orthopaedic); Mark Hoover (Michigan Pain); Mark P Goodman (Michigan Pain); Mark Schumacher (Ortho-Spine Rehab); Martin Hyman (Interventional Rehab); Matt H. Cline; Matthew Connors (Ocean State Pain); Matthew Daly (Interventional Spine); Maura K. Monaghan (Sahara Surgery); Megan Carrick (Specialty Surgery); Michael B Hayes (South Jersey Health); Michael Hager (Rochester Brain and Spine); Michelle Bodem (Wellspring); Michelle J Marzullo (Baltimore Pain); Michelle Mitchell (Greenspring SurgCenter); Mike Keating (IF Pain Associates); Nancy Fuller Reynolds (Image Guided Pain Management); Nicholas Kennedy (Insight); Parks Chastain (Specialty Surgery); Paul Corson (Universal Pain Management); Paul Peterson (Maps-Edina); Randy Hackney (Michigan Pain); Raymond Powers (Walter Knox Memorial); Renu Shah (Insight); Rhonda Beesing (Florida Pain); Rob Bouley (Minnesota Surgery Center); Robert Boston (Marion Pain); Robert Homes Hood (Pain Assoc of Charleston); Robert James Durant (OSMC); Sandra Lake (Michigan Pain Clinic); Sarah Kelly (Saint Thomas Entities); Sean Capplis (Ocean State); Stephanie Hanning (Dr. Glaser); Stephen Brake (St. Thomas); Stephen Busch (Insight Health); Stephen Grossman (South Jersey Health); Stephen Pratt (Wellspring); Steven Weiss (SE Michigan Surgical); Terrill Harris (High Point Surgery); Theresa A Domenico (Orlando Surgery); Thomas J Althaus (Hartford Country Ambulatory); Timothy Dardas (Neuro and Rehab of N. Michigan); Tom Kendrick (Brookwood); Tory Weigand (BKC); William Christie (Dr. O'Connell's); Puig, Yvonne K.
Annika Martin; Ben Gastel; Edward Notargiacomo; gerards@branstetterlaw.com; Kim

Cc:

Cc: Dougherty; Kristen Johnson; Marc E. Lipton; Mark P. Chalos; Mark Zamora; Patrick T. Fennell; Rick Ellis; Ryan Jarnagin

Subject: Re: NECC Draft Status Conference Draft Agenda

We will note your objection, but I intend to raise with the Court establishing a firm trial date from which the parties can negotiate backwards relevant deadlines.

From: <Schramek>, "Adam T."
 <adam.schramek@nortonrosefulbright.com<mailto:adam.schramek@nortonrosefulbright.com>>
 Date: Friday, March 20, 2015 at 5:49 PM
 To: Mike Barker <MikeB@hbsslaw.com<mailto:MikeB@hbsslaw.com>>, "Adam Moyers (Wilson Surgery)"
 <amoyers@battenlee.com<mailto:amoyers@battenlee.com>>, "Alan J Bozer (Rochester Brain and Spine)"
 <abozer@phillipslytle.com<mailto:abozer@phillipslytle.com>>, "Alan S Bean (STOPNC)"
 <Alan@gideoncooper.com<mailto:Alan@gideoncooper.com>>, "Allen Neely (Allegheny Pain)"
 <apneely@mqblaw.com<mailto:apneely@mqblaw.com>>, "Amber Garry (MAPS-Edina)"
 <Amber.Garry@lindjensen.com<mailto:Amber.Garry@lindjensen.com>>, "Andrew Howk (Wellspring)"
 <ahowk@hallrender.com<mailto:ahowk@hallrender.com>>, "Anthony E. Aabeln (BKC Pain)"
 <Aabeln@morrisonmahoney.com<mailto:Aabeln@morrisonmahoney.com>>, "Arthur Brock (Erlanger Health)"
 <apb@smrw.com<mailto:apb@smrw.com>>, "B. Curtis Wilkinson (Union Hospital)"
 <bcwilkinson@wilkinsonlaw.com<mailto:bcwilkinson@wilkinsonlaw.com>>, "Barbara Hayes Buell (Tenet and Hahnemann)"
 <barbara.buell@smithduggan.com<mailto:barbara.buell@smithduggan.com>>, "Bartholemew Freeze (Ortho-Spine Rehab Center)"
 <bfreeze@ffalaw.com<mailto:bfreeze@ffalaw.com>>, "Benjamin T Siracusa Hillman (Dr. O'Connell's)"
 <bsiracusahillman@shaheengordon.com<mailto:bsiracusahillman@shaheengordon.com>>, "Brandon Kulwicki (Harris Methodist)"
 <brandon@stewartstrong.com<mailto:brandon@stewartstrong.com>>, "Brian Macdonald (Michigan Neuro)"
 <bmacdonald@ccglawyers.com<mailto:bmacdonald@ccglawyers.com>>, "bhastings@obrlaw.com<mailto:bhastings@obrlaw.com>>"
 <bhastings@obrlaw.com<mailto:bhastings@obrlaw.com>>, "C. Houston Foppiano (Wilson Surgery)"
 <hfoppiano@battenlee.com<mailto:hfoppiano@battenlee.com>>, "Cara E Weiner (Erlanger)"
 <cew@smrw.com<mailto:cew@smrw.com>>, "Cari Wint (Surgical Park Center)"
 <cawint@debevoise.com<mailto:cawint@debevoise.com>>, "Carl Tullson (Insight)"
 <carl.tullson@skadden.com<mailto:carl.tullson@skadden.com>>, "Carrie Hanger (High Point Surgery)"
 <carrie.hanger@smithmoorelaw.com<mailto:carrie.hanger@smithmoorelaw.com>>, "Cecily Hughes (Wilson Surgery)"
 <chughes@battenlee.com<mailto:chughes@battenlee.com>>, "Chris Riegler (Wellspring)"
 <criegler@hallrender.com<mailto:criegler@hallrender.com>>, "Chris Tardio (STOPNC)"
 <chris@gideoncooper.com<mailto:chris@gideoncooper.com>>, "Chris Tribble (Insight)"
 <ctribble@mcguirewoods.com<mailto:ctribble@mcguirewoods.com>>, "Christopher Wolk (Premier Orthopaedic)"
 <cwolk@blumberglawoffices.com<mailto:cwolk@blumberglawoffices.com>>, "CJ Gideon (STOPNC)"
 <cj@gideoncooper.com<mailto:cj@gideoncooper.com>>, "Clare Carroll (MAPS)"
 <cfc@mbblaw.com<mailto:cfc@mbblaw.com>>, "Cynthia Palin (Encino Outpatient)"
 <cpalin@prindlelaw.com<mailto:cpalin@prindlelaw.com>>, "Daniel Divis (Nasareth-Mercy)"
 <ddivis@gmdlfirm.com<mailto:ddivis@gmdlfirm.com>>, "Daniel Shapiro (Florida Pain)"
 <shapiro@csklegal.com<mailto:shapiro@csklegal.com>>, "David Batten (Wilson Surgery)"
 <dbatten@battenlee.com<mailto:dbatten@battenlee.com>>, "David M Thomas (Michigan Pain)"
 <dthomas@rmrtt.com<mailto:dthomas@rmrtt.com>>, "David Rogers (Marion)"
 <drgers@campbell-trial-lawyers.com<mailto:drgers@campbell-trial-lawyers.com>>, "Deanna Siegfried (Comprehensive Pain Management)"
 <Deanna@rsiegfriedmd.com<mailto:Deanna@rsiegfriedmd.com>>, "Diane Flannery (Insight Health)"
 <dflannery@mcguirewoods.com<mailto:dflannery@mcguirewoods.com>>, "Emmitte Griggs (Forsyth Street Ambulatory)"
 <sharden@chrkglaw.com<mailto:sharden@chrkglaw.com>>, "Hoffman, Eric"
 <eric.hoffman@nortonrosefulbright.com<mailto:eric.hoffman@nortonrosefulbright.com>>, "Frank Gerolamo (Nasareth-Mercy)"
 <fgerolamo@gmdlfirm.com<mailto:fgerolamo@gmdlfirm.com>>, "Greg Kirby (Pain Medicine Specialists PA)"
 <gkirby@pklaw.com<mailto:gkirby@pklaw.com>>, "Gregory Bee (Cincinnati Pain Management)"
 <bee@taftlaw.com<mailto:bee@taftlaw.com>>, "Halley Stephens (West Florida Pain)"

<hstephens@fmhslaw.com<mailto:hstephens@fmhslaw.com>>, "Holly Bell (Brookwood)"
 <hbell@nwkt.com<mailto:hbell@nwkt.com>>, "Imran Rahman (APAC Centers for Pain Management)"
 <irahman@apacgroupe.com<mailto:irahman@apacgroupe.com>>, "Jack Reinholtz (Encino)"
 <jreinholtz@prindlelaw.com<mailto:jreinholtz@prindlelaw.com>>, "James Campbell (Marion)" <jmcampbell@campbell-trial-lawyers.com<mailto:jmcampbell@campbell-trial-lawyers.com>>,
 "jneale@mcguirewoods.com<mailto:jneale@mcguirewoods.com>"
 <jneale@mcguirewoods.com<mailto:jneale@mcguirewoods.com>>, "Jason Lee (Specialty Surgery)"
 <jlee@bkblaw.com<mailto:jlee@bkblaw.com>>, "Jason Lewis (Forsyth St. Ambulatory)"
 <jlewis@chrkglaw.com<mailto:jlewis@chrkglaw.com>>, "Jay Blumberg (premier orthopaedic)"
 <jjblumberg@blumberglawoffices.com<mailto:jjblumberg@blumberglawoffices.com>>, "Jeremiah Quane (Pain Specialists of Ohio)" <jaq@quanelaw.com<mailto:jaq@quanelaw.com>>,
 "Joanna Chen (Rochester Brain and Spine)" <jchen@phillipslytle.com<mailto:jchen@phillipslytle.com>>,
 "John Lovely (Nitesh Bhagat)" <jlovely@cashmanlovely.com<mailto:jlovely@cashmanlovely.com>>,
 "John T Sly (Greenspring Surgical)" <jsly@waranch-brown.com<mailto:jsly@waranch-brown.com>>,
 John Jessee <john.jessee@leclairryan.com<mailto:john.jessee@leclairryan.com>>,
 "Joseph Cohen (Fort Wayne Phys Medicine)" <hjc@barrettlaw.com<mailto:hjc@barrettlaw.com>>,
 "Joseph Fullenkamp (South Bend)" <Joseph.fullenkamp@btlaw.com<mailto:Joseph.fullenkamp@btlaw.com>>,
 "Joseph Lang (Nitesh Bhagat)" <jlang@lenoxlaw.com<mailto:jlang@lenoxlaw.com>>,
 "Justin Saar (Florida Pain)" <Justin.saar@csklegal.com<mailto:Justin.saar@csklegal.com>>,
 "Katharine Dennis (Ocean State)" <kdennis@ccclaw.org<mailto:kdennis@ccclaw.org>>,
 "Kathryn J. Humphrey (Southeast Michigan Surgical)" <khumphrey@dykema.com<mailto:khumphrey@dykema.com>>,
 "Kelly Hunton (Brookwood)" <khunton@nwkt.com<mailto:khunton@nwkt.com>>,
 "Kent Krause (Specialty Surgery)" <kkrause@bkblaw.com<mailto:kkrause@bkblaw.com>>,
 "Kip J. Adams (Thorek Memorial)" <kip.adams@lewisbrisbois.com<mailto:kip.adams@lewisbrisbois.com>>,
 "Kristen M Mykulak (South Jersey Health)" <kmykulak@mmwr.com<mailto:kmykulak@mmwr.com>>,
 "Liz Fraley (Dallas Back Pain)" <efraley@fraley-law.com<mailto:efraley@fraley-law.com>>,
 "Louis Moffa (South Jersey Health)" <lmoffa@mmwr.com<mailto:lmoffa@mmwr.com>>,
 "Luke Reilander (OSMC Outpatient)" <lreilander@hsk-law.com<mailto:lreilander@hsk-law.com>>,
 "Lyle Hardman (OSMC Outpatient)" <lhardman@hsk-law.com<mailto:lhardman@hsk-law.com>>,
 "Marcy H. Greer (Saint Thomas)" <mgreer@adjtlaw.com<mailto:mgreer@adjtlaw.com>>,
 Mark Anderson <MAnderson@mcguirewoods.com<mailto:MAnderson@mcguirewoods.com>>,
 "Mark Hoover (Michigan Pain)" <mhoover@hghblaw.com<mailto:mhoover@hghblaw.com>>,
 "Mark P Goodman (Michigan Pain)" <mpgoodman@debevoise.com<mailto:mpgoodman@debevoise.com>>,
 "Mark Schumacher (Ortho-Spine Rehab)" <mschumacher@ffalaw.com<mailto:mschumacher@ffalaw.com>>,
 "Martin Hyman (Interventional Rehab)" <mhyman@golenbock.com<mailto:mhyman@golenbock.com>>,
 "Matthew Cline (STOPNC)" <Matt@gideoncooper.com<mailto:Matt@gideoncooper.com>>,
 "Matthew Connors (Ocean State Pain)" <Mconnors@capplisandconnors.com<mailto:Mconnors@capplisandconnors.com>>,
 "Matthew Daly (Interventional Spine)" <mdaly@golenbock.com<mailto:mdaly@golenbock.com>>,
 "Maura K. Monaghan (Sahara Surgery)" <mkmmonagh@debevoise.com<mailto:mkmmonagh@debevoise.com>>,
 "Megan Carrick (Specialty Surgery)" <mcarrick@bkblaw.com<mailto:mcarrick@bkblaw.com>>,
 "Michael B Hayes (South Jersey Health)" <mhayes@mmwr.com<mailto:mhayes@mmwr.com>>,
 "Michael Hager (Rochester Brain and Spine)" <mehager175@hotmail.com<mailto:mehager175@hotmail.com>>,
 "Michelle Bodem (Wellspring)" <mbodem@hallrender.com<mailto:mbodem@hallrender.com>>,
 "Michelle J Marzullo (Baltimore Pain)" <mmarzullo@moodklaw.com<mailto:mmarzullo@moodklaw.com>>,
 "Michelle Mitchell (Greenspring SurgCenter)" <mrm@wlekn.com<mailto:mrm@wlekn.com>>,
 "Mike Keating (IF Pain Associates)" <mkeating@dughihewit.com<mailto:mkeating@dughihewit.com>>,
 "Nancy Fuller Reynolds (Image Guided Pain Management)" <nancy.reynolds@leclairryan.com<mailto:nancy.reynolds@leclairryan.com>>,
 "Nicholas Kennedy (Insight)" <nkennedy@mcguirewoods.com<mailto:nkennedy@mcguirewoods.com>>,
 "Parks Chastain (Specialty Surgery)" <pchastain@bkblaw.com<mailto:pchastain@bkblaw.com>>,
 "Paul Corson (Universal Pain Management)" <pcorson@lawbrandmeyer.com<mailto:pcorson@lawbrandmeyer.com>>,
 Paul Peterson <Paul.Peterson@lindjensen.com<mailto:Paul.Peterson@lindjensen.com>>,
 "Randy Hackney (Michigan Pain)" <rhackney@hghblaw.com<mailto:rhackney@hghblaw.com>>,
 "Raymond Powers (Walter Knox Memorial)"

<rdp@powerstolman.com<mailto:rdp@powerstolman.com>>, Renu Shah
 <Renu.Shah@skadden.com<mailto:Renu.Shah@skadden.com>>, "Rhonda Beesing (Florida Pain)"
 <Rhonda.beesing@csklegal.com<mailto:Rhonda.beesing@csklegal.com>>, Bob Bouley
 <rlb@mbblaw.com<mailto:rlb@mbblaw.com>>, "Robert Boston (Marion Pain)" <rboston@campbell-trial-lawyers.com<mailto:rboston@campbell-trial-lawyers.com>>, "Robert Homes Hood (Pain Assoc of Charleston)"
 <bobbyjr.hood@hoodlaw.com<mailto:bobbyjr.hood@hoodlaw.com>>, "Robert James Durant (OSMC)"
 <rdurant@eapdlaw.com<mailto:rdurant@eapdlaw.com>>, "Slake@hghblaw.com<mailto:Slake@hghblaw.com>"
 <Slake@hghblaw.com<mailto:Slake@hghblaw.com>>, "Sarah Kelly (Saint Thomas Entities)"
 <skelly@nutter.com<mailto:skelly@nutter.com>>, "Sean Capplis (Ocean State)"
 <scapplis@capplisandconnors.com<mailto:scapplis@capplisandconnors.com>>, "Stephanie Hanning (Dr. Glaser)"
 <shanning@schmidvoiles.com<mailto:shanning@schmidvoiles.com>>, "Stephen Brake (St. Thomas)"
 <sbrake@nutter.com<mailto:sbrake@nutter.com>>, 'Busch '
 <sbusch@mcguirewoods.com<mailto:sbusch@mcguirewoods.com>>,
 "SGrossman@mmwr.com<mailto:SGrossman@mmwr.com>"
 <SGrossman@mmwr.com<mailto:SGrossman@mmwr.com>>, "Stephen Pratt (Wellspring)"
 <spratt@hallrender.com<mailto:spratt@hallrender.com>>, "Steven Weiss (SE Michigan Surgical)"
 <sweiss@ssfpc.com<mailto:sweiss@ssfpc.com>>, "Terrill Harris (High Point Surgery)"
 <terri.harris@smithmoorelaw.com<mailto:terri.harris@smithmoorelaw.com>>, "Theresa A Domenico (Orlando Surgery)" <tdomenico@mccumberdaniels.com<mailto:tdomenico@mccumberdaniels.com>>, "Thomas J Althausen (Hartford Country Ambulatory)" <althausen@ewmd.com<mailto:althausen@ewmd.com>>, "Timothy Dardas (Neuro and Rehab of N. Michigan)" <tdardas@hghblaw.com<mailto:tdardas@hghblaw.com>>, "Tom Kendrick (Brookwood)"
 <tkendrick@nwkt.com<mailto:tkendrick@nwkt.com>>, "Tory Weigand (BKC)"
 <tweigand@morrisonmahoney.com<mailto:tweigand@morrisonmahoney.com>>, "William Christie (Dr. O'Connell's)"
 <wchristie@shaheengordon.com<mailto:wchristie@shaheengordon.com>>, "Puig, Yvonne K."
 <yvonne.puig@nortonrosefulbright.com<mailto:yvonne.puig@nortonrosefulbright.com>>
 Cc: Annika Martin <akmartin@lchb.com<mailto:akmartin@lchb.com>>, Ben Gastel
 <beng@branstetterlaw.com<mailto:beng@branstetterlaw.com>>, Edward Notargiacomo
 <EdwardNotargiacomo@hbsslaw.com<mailto:EdwardNotargiacomo@hbsslaw.com>>, "J. Gerard Stranch"
 <gerards@branstetterlaw.com<mailto:gerards@branstetterlaw.com>>, Kimberly Dougherty
 <KDougherty@myadvocates.com<mailto:KDougherty@myadvocates.com>>, Kristen Johnson
 <kristenj@hbsslaw.com<mailto:kristenj@hbsslaw.com>>, Marc Lipton
 <marc@liptonlawcenter.com<mailto:marc@liptonlawcenter.com>>, "Mark P. Chalos"
 <mchalos@lchb.com<mailto:mchalos@lchb.com>>, Mark Zamora
 <mark@markzamora.com<mailto:mark@markzamora.com>>, Patrick Fennell
 <pfennell@crandalllaw.com<mailto:pfennell@crandalllaw.com>>, Frederic Ellis
 <fellis@ellisrapacki.com<mailto:fellis@ellisrapacki.com>>, Ryan Jarnagin
 <mrj@millerlawpc.com<mailto:mrj@millerlawpc.com>>, Thomas Sobol
 <tom@hbsslaw.com<mailto:tom@hbsslaw.com>>
 Subject: RE: NECC Draft Status Conference Draft Agenda

Mike:

Please note on the agenda that the Saint Thomas Entities object to oral argument on item 2, as the motion is not fully briefed. Any oral argument should occur at the next status conference, once all briefing has been completed per the rules and standing orders.

Under fully briefed motions, please add:

Ascension Parties' Motion to Certify Dismissal Pursuant to Fed. R. Civ. P. 54(b) [Dkt. 1521] (oral argument held) a. PSC's Opposition [Dkt. 1568]

Thanks,

Adam T. Schramek | Partner

Norton Rose Fulbright US LLP

98 San Jacinto Boulevard, Suite 1100, Austin, Texas 78701-4255, United States Tel +1 512 536 5232 | Fax +1 512 536 4598 adam.schramek@nortonrosefulbright.com<mailto:adam.schramek@nortonrosefulbright.com>

NORTON ROSE FULBRIGHT

Law around the world

nortonrosefulbright.com<<http://nortonrosefulbright.com/>>

From: Mike Barker [mailto:MikeB@hbsslaw.com]

Sent: Friday, March 20, 2015 4:06 PM

To: Schramek, Adam T.; Adam Moyers (Wilson Surgery); Alan J Bozer (Rochester Brain and Spine); Alan S Bean (STOPNC); Allen Neely (Allegheny Pain); Amber Garry (MAPS-Edina); Andrew Howk (Wellspring); Anthony E. Abeln (BKC Pain); Arthur Brock (Erlanger Health); B. Curtis Wilkinson (Union Hospital); Barbara Hayes Buell (Tenet and Hahnemann); Bartholemew Freeze (Ortho-Spine Rehab Center); Benjamin T Siracusa Hillman (Dr. O'Connell's); Brandon Kulwicki (Harris Methodist); Brian Macdonald (Michigan Neuro); Brook Hastings (Rothman Ins.-Dr.Andredson); C. Houston Foppiano (Wilson Surgery); Cara E Weiner (Erlanger); Cari Wint (Surgical Park Center); Carl Tullson (Insight); Carrie Hanger (High Point Surgery); Cecily Hughes (Wilson Surgery); Chris Riegler (Wellspring); Chris Tardio (STOPNC); Chris Tribble (Insight); Christopher Wolk (Premier Orthopaedic); CJ Gideon (STOPNC); Clare Carroll (MAPS); Cynthia Palin (Encino Outpatient); Daniel Divis (Nasareth-Mercy); Daniel Shapiro (Florida Pain); David Batten (Wilson Surgery); David M Thomas (Michigan Pain); David Rogers (Marion); Deanna Siegfried (Comprehensive Pain Management); Diane Flannery (Insight Health); Emmitt Griggs (Forsyth Street Ambulatory); Hoffman, Eric; Frank Gerolamo (Nasareth-Mercy); Greg Kirby (Pain Medicine Specialists PA); Gregory Bee (Cinncinnati Pain Management); Halley Stephens (West Florida Pain); Holly Bell (Brookwood); Imran Rahman (APAC Centers for Pain Management); Jack Reinholtz (Encino); James Campbell (Marion); James F. Neale (Insight); Jason Lee (Specialty Surgery); Jason Lewis (Forsyth St. Ambulatory); Jay Blumberg (premier orthopaedic); Jeremiah Quane (Pain Specialists of Ohio); Joanna Chen (Rochester Brain and Spine); John Lovely (Nitesh Bhagat); John T Sly (Greenspring Surgical); John Thomas Jessee (Carilion); Joseph Cohen (Fort Wayne Phys Medicine); Joseph Fullenkamp (South Bend); Joseph Lang (Nitesh Bhagat); Justin Saar (Florida Pain); Katharine Dennis (Ocean State); Kathryn J. Humphrey (Southeast Michigan Surgical); Kelly Hunton (Brookwood); Kent Krause (Specialty Surgery); Kip J. Adams (Thorek Memorial); Kristen M Mykulak (South Jersey Health); Liz Fraley (Dallas Back Pain); Louis Moffa (South Jersey Health); Luke Reilander (OSMC Outpatient); Lyle Hardman (OSMC Outpatient); Marcy H. Greer (Saint Thomas); Mark E Anderson (NC Orthopaedic); Mark Hoover (Michigan Pain); Mark P Goodman (Michigan Pain); Mark Schumacher (Ortho-Spine Rehab); Martin Hyman (Interventional Rehab); Matthew Cline (STOPNC); Matthew Connors (Ocean State Pain); Matthew Daly (Interventional Spine); Maura K. Monaghan (Sahara Surgery); Megan Carrick (Specialty Surgery); Michael B Hayes (South Jersey Health); Michael Hager (Rochester Brain and Spine); Michelle Bodem (Wellspring); Michelle J Marzullo (Baltimore Pain); Michelle Mitchell (Greenspring SurgCenter); Mike Barker; Mike Keating (IF Pain Associates); Nancy Fuller Reynolds (Image Guided Pain Management); Nicholas Kennedy (Insight); Parks Chastain (Specialty Surgery); Paul Corson (Universal Pain Management); Paul Peterson (Maps-Edina); Randy Hackney (Michigan Pain); Raymond Powers (Walter Knox Memorial); Renu Shah (Insight); Rhonda Beesing (Florida Pain); Rob Bouley (Minnesota Surgery Center); Robert Boston (Marion Pain); Robert Homes Hood (Pain Assoc of Charleston); Robert James Durant (OSMC); Sandra Lake (Michigan Pain Clinic); Sarah Kelly (Saint Thomas Entities); Sean Capplis (Ocean State); Stephanie Hanning (Dr. Glaser); Stephen Brake (St. Thomas); Stephen Busch (Insight Health); Stephen Grossman (South Jersey Health); Stephen Pratt (Wellspring); Steven Weiss (SE Michigan Surgical); Terrill Harris (High Point Surgery); Theresa A Domenico (Orlando Surgery); Thomas J Althausen (Hartford Country Ambulatory); Timothy Dardas (Neuro and Rehab of N. Michigan); Tom Kendrick (Brookwood); Tory Weigand (BKC); William Christie (Dr. O'Connell's); Puig, Yvonne K.

Cc: Annika Martin; Ben Gastel; Edward Notargiacomo;
gerards@branstetterlaw.com<mailto:gerards@branstetterlaw.com>; Kim Dougherty; Kristen Johnson; Marc E. Lipton;
Mark P. Chalos; Mark Zamora; Patrick T. Fennell; Rick Ellis; Ryan Jarnagin; Thomas Sobol
Subject: NECC Draft Status Conference Draft Agenda

Counsel:

Attached for your review is the draft agenda for the Wednesday, March 25, 2015, 2:00 p.m. EDT, status conference before Judge Zobel.

If you have any suggestions or edits, please make them in redline and send them back to me at
mikeb@hbsslaw.com<mailto:mikeb@hbsslaw.com> by 4:00 p.m. EDT on Monday, March 23.

Thanks.

Mike Barker | Paralegal
Hagens Berman Sobol Shapiro LLP
55 Cambridge Parkway, Suite 301 - Cambridge, MA 02142
Direct: (617) 475-1958
MikeB@hbsslaw.com<mailto:MikeB@hbsslaw.com> | www.hbsslaw.com<http://www.hbsslaw.com> | HBSS
Blog<http://www.classactionlawtoday.com/>

[cid:image001.jpg@01D0632F.49AF43A0]

Named to 2015 Plaintiff's Hot List<http://www.hbsslaw.com/newsroom/Hagens-Berman-Named-to-National-Law-Journal-Plaintiffs-Hot-List-for-Eighth-Year> by The National Law Journal

[cid:image002.png@01D0632F.49AF43A0]<http://www.facebook.com/pages/Seattle-WA/Hagens-Berman/118070921551259> [cid:image003.png@01D0632F.49AF43A0] <http://twitter.com/classactionlaw>

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